

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 ALEMAYEHU JIMMA,

9 Plaintiff,

10 v.

11 CITY OF SEATTLE POLICE
DEPARTMENT,

12 Defendant.
13

NO. C18-0771RSL

ORDER GRANTING IN PART
PLAINTIFF'S MOTION FOR AN
EXTENSION OF TIME IN WHICH
TO APPEAL

14
15 This matter comes before the Court on plaintiff's "Motion for extension." Dkt. # 39. On
16 November 1, 2019, the Court dismissed plaintiff's claims and entered judgment in this matter.
17 Dkt. # 37 and Dkt. # 38. The order and judgment were promptly mailed to plaintiff at the address
18 in the docket. See Clerk's notes to Dkt. # 37 and Dkt. # 38. Plaintiff alleges that he "was not
19 served" and discovered that his case had been dismissed on November 30, 2019, when he
20 performed an internet search. Dkt. # 39 at 1. On December 2, 2019, plaintiff filed this motion for
21 a thirty-day extension of time in which to file a notice of appeal.
22

23 Pursuant the Federal Rules of Appellate Procedure, the district court has discretion to
24 extend the time to appeal if the moving party shows excusable neglect or good cause. Fed. R.
25 App. P. 4(a)(5)(A)(ii). Although the record contains reason to doubt plaintiff's unsworn
26

27 ORDER GRANTING IN PART PLAINTIFF'S
28 MOTION FOR AN EXTENSION OF TIME
IN WHICH TO APPEAL - 1

1 assertion that he did not receive the copies of the order and judgment that were mailed to him on
2 November 1, 2019, defendant has not opposed the motion, and the Court takes at face value
3 plaintiff's representation. The length of the extension of time is limited by Fed. R. App. P.
4 4(a)(5)(C), however, and may not exceed thirty days from the date the original appeal period
5 expired or fourteen days from the date of this order, whichever is later.
6
7

8 For all of the foregoing reasons, plaintiff's motion for an extension of time (Dkt. # 39) is
9 GRANTED in part. The time in which to file a notice of appeal in the above-captioned matter is
10 hereby extended to January 2, 2020.
11
12

13 Dated this 18th day of December, 2019.

14 

15 _____
16 Robert S. Lasnik
17 United States District Judge
18
19
20
21
22
23
24
25
26